

# STATE OF WISCONSIN

# Senate Journal

## Ninety–Fourth Regular Session

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WEDNESDAY, April 28, 1999

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The Chief Clerk makes the following entries under the above date.

### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

#### Senate Bill 132

Relating to: employment relations for members of the University of Wisconsin System faculty and academic staff.

By Senators Grobschmidt, Wirch, Schultz, Plache and Moen; cosponsored by Representatives Musser, Hasenohrl, La Fave, Plouff, J. Lehman, Bock, Richards and Pocan.

To committee on **Education**.

#### Senate Bill 133

Relating to: the requirement that an unemancipated minor obtain parental or other consent or a judicial waiver of that consent requirement before she has an abortion.

By Senators Welch, Fitzgerald, Drzewiecki, Breske, Schultz, Roessler, Zien and Farrow; cosponsored by Representatives Kedzie, Plale, Hahn, Seratti, Ladwig, Suder, Duff, Sykora, Ryba, Kestell, Huebsch, Urban, M. Lehman, Vrakas, Ziegelbauer, Gundrum, Montgomery, F. Lasee, Albers, Kreibich, Gunderson, Staskunas, Petrowski, Hoven, Nass, Ward, Goetsch, Porter, Meyerhofer, Walker, Owens, Grothman, Freese, Rhoades, Leibham, Wieckert and Hundertmark.

To committee on **Judiciary and Consumer Affairs**.

#### Senate Bill 134

Relating to: the capital gains income tax exclusion.

By Senators Farrow, Welch, Schultz, Darling, Huelsman, Lazich, Ellis, Zien and Roessler; cosponsored by Representatives Jensen, Stone, Handrick, Klusman, Underheim, Ziegelbauer, Musser, Hahn, Kelso, Ladwig, Albers, Nass, Hutchison, Seratti, Owens, Suder, Gunderson, Johnsrud, Plale, Pettis, Townsend, Jeskewitz and Montgomery.

To joint survey committee on **Tax Exemptions**.

#### Senate Bill 135

Relating to: prohibiting the department of transportation from providing information compiled and maintained by the department that contains the personal identifiers of 10 or more people.

By Senators Erpenbach, Clausung, Drzewiecki, Panzer, Wirch, Darling, Welch, Lazich, Roessler and Schultz; cosponsored by Representatives Foti, Hasenohrl, Sinicki, Klusman, Bock, Wasserman, Hahn, Rhoades, Ziegelbauer, Black, Huebsch, Young, Sherman, Boyle, Spillner, Petrowski, Berceau, Turner, Porter, M. Lehman, Cullen, Staskunas, Ainsworth, F. Lasee, Plouff, Johnsrud, Kreibich, Gronemus,

Plale, Kreuser, Kelso, Handrick, Musser, Olsen, Hutchison, Powers, Montgomery, Reynolds, Gunderson, Stone, Freese and Miller.

To committee on **Privacy, Electronic Commerce and Financial Institutions**.

#### Senate Bill 136

Relating to: requiring insurance coverage of certain immunizations for children.

By Senators Grobschmidt, Clausung, Moen, Rosenzweig, Burke, Darling, Wirch, Robson, Plache and Risser; cosponsored by Representatives Huebsch, Carpenter, Sinicki, Ryba, Bock, Staskunas, Musser, Gronemus, Hahn, Boyle, Black, Young, Pocan, Miller, Plale and Wasserman.

To committee on **Insurance, Tourism, Transportation and Corrections**.

#### Senate Bill 137

Relating to: sentences for felony offenses, parole, eliminating extended supervision and providing penalties.

By Senator Risser; cosponsored by Representatives Boyle, Pocan, Young, Miller, Morris–Tatum, Richards and Coggs.

To committee on **Judiciary and Consumer Affairs**.

#### Senate Bill 138

Relating to: the confinement of Wisconsin prisoners in other states and withdrawing Wisconsin from the interstate corrections compact.

By Senators Risser, George and Plache; cosponsored by Representatives Boyle, Pocan, Young, Morris–Tatum and Coggs.

To committee on **Insurance, Tourism, Transportation and Corrections**.

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### REPORT OF COMMITTEES

The committee on **Human Services and Aging** reports and recommends:

#### Senate Bill 90

Relating to: limitations on and requirements for use of semiautomatic defibrillators by individuals other than emergency medical technicians and first responders – defibrillation, providing civil immunity for the use and requiring the department of health and family services to review training courses for the use.

Introduction and adoption of Senate amendment 1.

Ayes, 5 – Senators Robson, Moore, Wirch, Roessler and Rosenzweig.

Noes, 0 – None.

Adoption as amended.

Ayes, 5 – Senators Robson, Moore, Wirth, Roessler and Rosenzweig.

Noes, 0 – None.

Judy Robson  
Chairperson

The committee on **Judiciary and Consumer Affairs** reports and recommends:

### **Assembly Joint Resolution 3**

Relating to: 4–year terms of office for district attorneys (2nd consideration).

Concurrence.

Ayes, 5 – Senators George, Risser, Clausung, Huelsman and Darling.

Noes, 0 – None.

Gary George  
Chairperson

## **PETITIONS AND COMMUNICATIONS**

### **State of Wisconsin Department of Regulation and Licensing**

April 8, 1999

The Honorable, The Senate:

In accordance with WSS 961.36(3), enclosed please find the 1998 Controlled Substances Board Annual Report.

It is hoped that the Senate will find this report useful.

Sincerely,

PATRICK D. BRAATZ  
Administrator

Division of Health Professionals and Services Licensing

**State of Wisconsin**

April 26, 1999

The Honorable, The Senate:

This is to request that my name be withdrawn as a cosponsor of Senate Bill 121.

Sincerely,

ROB KREIBICH  
State Representative  
93rd Assembly District

**State of Wisconsin  
Legislative Audit Bureau**

April 26, 1999

The Honorable, The Legislature:

At the request of the Department of Health and Family Services (DHFS), we have performed a financial audit of the Health Insurance Risk-Sharing Plan (HIRSP) for fiscal year (FY) 1997-98. HIRSP provides medical insurance for individuals unable to obtain private coverage. During our audit period, [1997 Wisconsin Act 27](#) transferred oversight responsibility for HIRSP from the Office of the Commissioner of Insurance to DHFS, modified the plan in response to new federal requirements, and required responsibility for its daily operations to be transferred to the State's fiscal agent for Medicaid. Act 27 also made significant changes to plan funding, including providing \$17.9 million in general purpose revenue for the 1997-99 biennium and increasing health care providers' responsibility for HIRSP funding.

DHFS had less than three months to prepare for its new program oversight responsibility, and implementation of funding and other program changes has been more complex than expected.

As a result, ensuring that HIRSP is funded in accordance with statutory provisions has been difficult; efforts to implement Medicaid cost-containment and reimbursement practices are resulting in operational and administrative problems; and higher-than-anticipated plan administration costs are being incurred. We qualify our opinion for the FY 1997-98 financial statements because DHFS cannot accurately determine and disclose health care providers' actual contributions to HIRSP.

DHFS is taking steps to address these concerns, including proposing significant changes to HIRSP as part of the 1999-2001 biennial budget. These changes would clarify plan operations and facilitate Medicaid cost-containment efforts. As it considers this proposal or any other proposed changes to HIRSP, the Legislature may also wish to require that DHFS take steps to improve financial management of HIRSP by funding it on the same basis used for financial reporting, monitoring claim liabilities, and improving cash management.

We appreciate the courtesy and cooperation extended to us by DHFS staff and the plan administrators. The response from DHFS is the appendix.

Sincerely,

JANICE MUELLER  
State Auditor

## **REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES**

### **Senate Clearinghouse Rule 98–119**

Relating to the procedure and practice for fair hearings regarding the food stamp and medicaid programs.

Submitted by Division of Hearings and Appeals.

Report received from Agency, April 22, 1999.

Referred to committee on **Human Services and Aging**, April 28, 1999.

### **Senate Clearinghouse Rule 99–004**

Relating to operation of the health insurance risk-sharing plan (HIRSP).

Submitted by Department of Health and Family Services.

Report received from Agency, April 27, 1999.

Referred to committee on **Health, Utilities, Veterans and Military Affairs**, April 28, 1999.

### **Senate Clearinghouse Rule 99–017**

Relating to inventory reporting for petroleum marketing facilities.

Submitted by Department of Military Affairs.

Report received from Agency, April 21, 1999.

Referred to committee on **Agriculture, Environmental Resources and Campaign Finance Reform**, April 28, 1999.

### **Senate Clearinghouse Rule 99–020**

Relating to neonatal intensive care unit training grants.

Submitted by Department of Health and Family Services.

Report received from Agency, April 27, 1999.

Referred to committee on **Health, Utilities, Veterans and Military Affairs**, April 28, 1999.

### **Senate Clearinghouse Rule 99–037**

Relating to standards for the inspection of bridges in Wisconsin.

Submitted by Department of Transportation.

Report received from Agency, April 26, 1999.

Referred to committee on **Insurance, Tourism, Transportation and Corrections**, April 28, 1999.

**Senate Clearinghouse Rule 99-049**

Relating to allowing the operation of double bottoms and certain other vehicles on certain specified highways.

Submitted by Department of Transportation.

Report received from Agency, April 22, 1999.

Referred to committee on **Insurance, Tourism, Transportation and Corrections**, April 28, 1999.

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The committee on **Health, Utilities, Veterans and Military Affairs** reports and recommends:

**Senate Clearinghouse Rule 98-120**

Relating to the cancellation of indebtedness under the economic assistance, veterans trust fund stabilization and personal and secondary loan programs.

No action taken.

**Senate Clearinghouse Rule 98-194**

Relating to requirements for joint local water authorities.

No action taken.

**Senate Clearinghouse Rule 98-200**

Relating to the release of information to a collection agency under contract with the state to collect delinquent department loans.

No action taken.

**Senate Clearinghouse Rule 98-206**

Relating to requirements for examination and licensure of psychologists, renewal and conduct.

No action taken.

Rodney Moen  
Chairperson

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**Senate Bill 123**

Relating to: the fair hearing process under Wisconsin works.

Withdrawn from the committee on **Labor** and referred to the committee on **Human Services and Aging** pursuant to Senate Rule 46 (2)(c).

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**CHIEF CLERK'S REPORT**

The Chief Clerk records:

**Senate Bill 83**

Presented to the Governor on April 22, 1999.